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Attorneys for Plaintiffs
CARMEL GARCIA, M.Y. AND L.Y., minors by
and through their guardian ad litem VANESSA
RUIZ; L.Y., a minor by and through his guardian
ad litem FRANCISCA URIOSTEGUI

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

CARMEL GARCIA, an individual; M.Y. AND
L.Y., minors by and through their guardian ad
litem VANESSA RUIZ; L.Y., a minor by and
through his guardian ad litem FRANCISCA
URIOSTEGUI,

Plaintiff,

v.

YUBA COUNTY SHERIFF'S
DEPARTMENT; YUBA COUNTY
SHERIFF'S DEPUTIES DOES 1-5; CITY OF
VACAVILLE; and VACAVILLE POLICE
OFFICER DOES 6-10;

Defendants.

Case No. 2:19-cv-02621-KJM-DB

**STIPULATION REGARDING DEPOSITION OF
PLAINTIFF L.Y.; ORDER**

Judge: Kimberly J. Mueller

1 WHEREAS, Plaintiffs CARMEL GARCIA, et al. desire to avoid subjecting minor Plaintiff L.Y.,
2 represented in this action by his Guardian Ad Litem FRANCISCA URIOSTEGUI, to the stress of a
3 deposition unless necessary;

4 WHEREAS, Defendants CITY OF VACAVILLE, et al., desire to obtain discovery regarding
5 Plaintiff L.Y.'s claims for damages;

6 WHEREAS, Plaintiffs agree to notify Defendants no later than ninety (90) days before trial
7 whether or not Plaintiff L.Y. intends to testify at trial;

8 WHEREAS, if Plaintiff L.Y. intends to testify at trial, Plaintiffs agree to produce Plaintiff L.Y.
9 for deposition at a mutually agreeable date regardless of whether fact discovery has closed;

10 WHEREAS, Plaintiff L.Y.'s Guardian Ad Litem FRANCISCA URIOSTEGUI agrees to provide
11 responses to one (1) set of written discovery consisting of Interrogatories, Requests for Admission, and
12 Requests for Production of Documents pertaining to Plaintiff L.Y.'s claims for damages beyond the close
13 of fact discovery;

14 WHEREAS, Plaintiffs agree that Plaintiff L.Y. will not testify at trial unless Defendants are
15 notified of his intent to testify at trial no later than ninety (90) days before trial and Defendants are
16 afforded the opportunity to depose Plaintiff L.Y. on a mutually agreeable date after such notice;

17 WHEREAS, Defendants agree not to seek to depose Plaintiff L.Y. unless and until Defendants
18 are notified that Plaintiff L.Y. intends to testify at trial;

19 WHEREAS, good cause exists to permit the limited discovery referenced herein following the
20 close of fact discovery in order to avoid subjecting Plaintiff L.Y. to the stress of a deposition unless
21 absolutely necessary while also permitting Defendants to obtain information regarding Plaintiff L.Y.'s
22 claims for damages.

23 **STIPULATION**

24 NOW, THEREFORE, Plaintiffs and Defendants stipulate and request a Court order ordering that
25 Plaintiffs provide notice Defendants whether or not Plaintiff L.Y. intends to testify at trial no later than
26 ninety (90) days before trial, that Plaintiff L.Y. will only be permitted to testify at trial if Defendants are
27 given said notice and afforded an opportunity to depose Plaintiff L.Y. on a mutually agreeable date, that
28 Plaintiff L.Y. not be forced to undergo deposition unless and until Plaintiffs notify Defendants of

Plaintiff L.Y.'s intent to testify at trial, and that the limited discovery outlined in the stipulation be permitted, if necessary, to take place following the close of fact discovery.

Dated: May 23, 2022

BERTRAND, FOX, ELLIOT, OSMAN & WENZEL

By: /s/ Richard W. Osman

Richard W. Osman

Attorney for Defendants CITY OF

VACAVILLE, JULIE BAILEY,

CHUCK BAILEY, DUSTIN WILLIS, and

DAVE SPENCER

Dated: May 23, 2022

LAW OFFICES OF FULVIO F. CAJINA

By: /s/ Fulvio F. Cajina

Fulvio F. Cajina

Attorney for Plaintiffs CARMEL GARCIA,

M.Y. AND L.Y., minors by and through their

guardian ad litem VANESSA RUIZ; L.Y., a

minor by and through his guardian ad litem

FRANCISCA URIOSTEGUI

ELECTRONIC CASE FILING ATTESTATION

I, Richard W. Osman, hereby attest that I have on file all holograph signatures for any signatures indicated by a conformed signature ("/s/") within this E-filed document or have been authorized by counsel to show their signature on this document as /s/.

Dated: May 23, 2022

By: /s/ Richard W. Osman

Richard W. Osman

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED:

That Plaintiffs shall provide notice to Defendants whether or not Plaintiff L.Y. intends to testify at trial no later than ninety (90) days before trial, that Plaintiff L.Y. will only be permitted to testify at trial if Defendants are given said notice and afforded an opportunity to depose Plaintiff L.Y. on a mutually agreeable date, that Plaintiff L.Y. not be forced to undergo deposition unless and until Plaintiffs notify Defendants of Plaintiff L.Y.'s intent to testify at trial, and that the limited discovery outlined in the stipulation be permitted, if necessary, to take place following the close of fact discovery.

DATED: July 26, 2022.



CHIEF UNITED STATES DISTRICT JUDGE